

H. B. 1055

**CHAPTER 552****AN ACT TO AMEND THE CHARTER OF THE TOWN OF CLYDE.***The General Assembly of North Carolina do enact:*

SECTION 1. That Section nineteen of Chapter one hundred and seventy-seven of the Private Laws of North Carolina, one thousand nine hundred and five, amending the Charter of the Town of Clyde, be and the same is hereby repealed, and the following enacted in lieu thereof:

Ch. 177, Private Laws, 1905, amended.

"SEC. 19. Whenever, in the opinion of the Board of Aldermen of said town, it is advisable to obtain land or right-of-way thereon, for the purpose of opening a new street or making culverts or waterways for carrying water out of any street thereon, or for changing, altering or widening any street, or laying any sewer or water line within the corporate limits of said town, the Board of Aldermen of said town shall have full power and authority to enter upon said lands and cause said street or streets to be built, widened, altered or changed, and water or sewer lines or other improvements to be made, and if the said Board of Aldermen and the owner or owners of said land over which said street or sewer or water line or other improvement is to be made, cannot agree as to the amount of damages, if any, the owner of the land shall file his claim with the clerk of the said town and it shall be the duty of the Board of Aldermen forthwith, to appoint three freeholders, residents of said town, connected with said claimant neither by consanguinity nor affinity, who shall forthwith go upon the premises and view the same, and assess the damages which will accrue to such property, taking into consideration the benefits which will accrue to such property from the improvements, and report the same to the Board of Aldermen. The said Board of Aldermen shall have the right to accept and approve the report of said jury or commissioners, and pay said damages, if any; or said Board of Aldermen may set aside said report in their discretion, upon motion of the property owner or of their own motion, and appoint another jury to assess said damages; or said Board of Aldermen may appeal from the report of said jury to the Superior Court of Haywood County. If the owner of said premises is dissatisfied with said assessment, he may appeal from the findings of the jury to the Superior Court of Haywood County. Upon appeal by the property owner or by said town, the same shall be tried before a jury, but such appeal shall not stay the improvements."

Acquisition of right-of-ways for streets and other public improvements, Town of Clyde.

Settlement of claims for damages.

SEC. 2. That all laws and clauses of laws in conflict with this Act are hereby repealed.

Conflicting laws repealed.